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BEFORE THE INSURANCE COMMISSIONER OF THE STATE OF UTAH

COMPLAINANT:

UTAH INSURANCE DEPARTMENT

RESPONDENT:

WESTERN NATIONAL TITLE
INSURANCE COMPANY

560 South 300 East
Salt Lake City, UT 84110
Utah Co. Id. No. 1652

**NOTICE OF INFORMAL
ADJUDICATIVE PROCEEDING
AND ORDER**

DOCKET No. 2009-063 EX

Enf. Case No. 2388

The Utah Insurance Department has commenced this informal adjudicative proceeding pursuant to Utah Code Annotated §§ 31A-2-201 and 63G-4-201 and Utah Administrative Code Rule R590-160. Based upon information contained in agency files or known to the Commissioner, the Commissioner makes the following:

FINDINGS OF FACT

1. Respondent is a Title Insurance Company authorized to do the business of insurance in the State of Utah, Utah company identification number 1652.
2. The Utah Insurance Department conducted an examination of Respondent as of December 31, 2006, and the Report of said examination was filed and became final June 27, 2008.

3. The examination found that during the examination period Respondent failed to report in its annual Holding Company Registration (Form B) Statement its Investment Management Agreement with First American Trust. Subsequent to the examination period, the Respondent disclosed the Investment Management Agreement in its 2007 Form B filing.

4. Respondent failed to file a Form D, 30 days prior to entering into the above agreement. The Form D was subsequently filed on August 8, 2008.

5. The Respondent entered into a Reinsurance Agreement with its parent company, First American Title Insurance Company, on July 21, 2003, with an effective date of January 2, 2002. The Reinsurance Agreement was not reported in the Respondent's Form B filing for the years under examination or in the subsequent year of 2007.

6. Respondent failed to pay its NAIC filing fees for the years 2005 through 2007, totaling \$1,690.00.

Having entered his Findings of Fact, the Commissioner now enters his:

CONCLUSION OF LAW

1. In failing to report an Investment Management Agreement in its Form B Statement, Respondent violated Utah Code Annotated § 31A-16-105(2)(c)(v).

2. In failing to file a Form D 30 days prior to entering into an Investment Management Agreement, Respondent violated Utah Code Annotated § 31A-16-105(2)(c)(iv).

3. In failing to report a Reinsurance Agreement with its parent company in its Form B filing, Respondent violated Utah Code Annotated § 31A-16-105(c)(vi).

4. In failing to timely pay the annual NAIC filing fees, Respondent violated Utah Code Annotated § 31A-4-113.5(d).

Based upon the foregoing Findings of Fact and Conclusions of Law, the Commissioner now enters the following:

ORDER

IT IS HEREBY ORDERED:

1. Respondent is assessed an administrative forfeiture in the amount of \$3,000.00, to be paid within 30 days of the date this Order becomes final.
2. This Order shall become final fifteen (15) days after the date of mailing unless a written request for a hearing is received from the Respondent in the offices of the department prior to that date. A written request for a hearing shall be signed by the person making the request and shall state the basis for the relief requested.

NOTIFICATION

If you request a hearing regarding this matter, the department will be represented by M. Gale Lemmon, Assistant Attorney General, State Office Building, Room 3110, Salt Lake City, Utah 84114, Telephone Number (801) 538-3872. Failure to request a hearing will be considered a failure to exhaust administrative remedies and will preclude any further administrative or judicial review or appeal of this matter.

You are further notified that a failure to obey an Order of the commissioner may subject you to further penalties, including forfeitures of up to \$5,000.00 per violation and the suspension or revocation of your certificate of authority and the filing of an action in District Court, which may impose forfeitures of up to \$10,000.00 per day for continued violation.

You are further notified that other jurisdictions in which you may be licensed may require that you report this action to them.

Questions regarding this Adjudicative Proceeding should be directed to Clarissa Crisp, Financial Examiner, at the Utah Insurance Department (801) 538-3800.

DATED THIS 11th day of May, 2009.

D. KENT MICHIE
INSURANCE COMMISSIONER

A handwritten signature in cursive script, appearing to read "Mark E. Kleinfeld", is written over a horizontal line.

MARK KLEINFELD, J.D.
ADMINISTRATIVE LAW JUDGE
Utah Insurance Department
State Office Building, Room 3110
Salt Lake City, Utah 84114
Telephone (801) 538-3800

CERTIFICATE OF MAILING

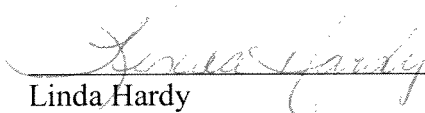
I do hereby certify that on this date I mailed, by certified mail postage prepaid a true and correct copy of the attached:

NOTICE OF INFORMAL
ADJUDICATIVE PROCEEDING
AND ORDER

To the following:

Western National Title Ins. Co.
560 South 300 East
Salt Lake City, UT 84110

DATED this 11th day of May, 2009.


Linda Hardy Court Clerk
Utah Department of Insurance
State Office Building, Room 3110
Salt Lake City, UT 84114-6901

UTAH
Invoice - Original

Page 1

Printed Date: May 11, 2009
Invoice Date: May 11, 2009
Balance Due: \$3,000.00
Due Date: June 10, 2009
Invoice ID: 411446
NAIC ID: 51225
Payor ID: 1652

RAY WHITNEY
WESTERN NATIONAL TITLE INSURANCE COMPANY
560 S 300 E
SALT LAKE CITY UT 84111

Item Description	Amount
5/11/2009 Monetary Penalty Individual	\$3,000.00
E-Case 2388 Docket 2009-063 EX	
Original Amount Due	\$3,000.00

UTAH
Invoice - Original

Invoice Date: May 11, 2009
Balance Due: \$3,000.00
Due Date: June 10, 2009
Invoice ID: 411446
Payor ID: 1652
Payor Name: WESTERN NATIONAL
TITLE INSURANCE
COMPANY

Make checks payable to: Utah Insurance Department

Send payment to:

Utah Insurance Department
3110 State Office Building
Salt Lake City, UT 84114-6901